

BOX AF

Practitioner's Docket No. 49122 (47927)

PATENT

AUG 14 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: L. Hammerstrom et al.
 Application No.: 09/521,742 Group No.: 1642
 Filed: March 9, 2000 Examiner: A. Harris
 For: MATRIX PROTEIN COMPOSITIONS FOR INDUCTION OF APOPTOSIS

**RESPONSE UNDER
37 C.F.R. 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP
1642**

Box AF
 Assistant Commissioner for Patents
 Washington, D.C. 20231

AMENDMENT OR RESPONSE AFTER FINAL REJECTION—TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. 1.116) for this application.

STATUS

2. Applicant is other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(complete (a) or (b), as applicable)

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office.

Susan M. Dillon
 Signature

Susan M. Dillon

(type or print name of person certifying)

Date: 8/8/02

COPY OF PAPERS
ORIGINALLY FILED

RECEIVED

AUG 19 2002

TECH CENTER 1600/2900

(a) Applicant petitions for an extension of time under 37 C.F.R. § 1.136
 (fees: 37 C.F.R. § 1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
[] one month	\$ 110.00	\$ 55.00
[] two months	\$ 390.00	\$ 195.00
[] three months	\$ 890.00	\$ 445.00
[] four months	\$ 1,390.00	\$6950.00

Fee: _____

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

[] An extension for _____ months has already been secured. The fee paid therefor of
 \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY		
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	
Total	11	Minus	20	= 0	x \$0 = \$0
Indep.	1	Minus	3	= 0	x \$0 = \$0
First Presentation of Multiple Dependent Claim			+ \$0 =	\$0	
			Total	Addit. Fee	\$0

* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,

** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 1) is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE (Column 2, Row 2) is less than 3, enter "3".

The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

No additional fee for claims is required.

FEE PAYMENT

5. Attached is a check in the sum of \$ ____.
 Charge Account No_____ the sum of \$ _____.
A duplicate of this transmittal is attached.

FEE DEFICIENCY

6. If any additional extension and/or fee is required, charge Account No. 04-1105.
If any additional fee for claims is required, charge Account No. 04-1105.

Christine C. O'Day
SIGNATURE OF PRACTITIONER
Christine C. O'Day
Reg. No. 38,256
Dike, Bronstein, Roberts & Cushman
Intellectual Property Group
EDWARDS & ANGELL, LLP
P.O. Box 9169
Boston, MA 02209
Tel. No.: (617) 439-4444

Customer No.: 21874

BOS2_176484.1



Docket No. 49122 (47927)

1510 ^{RE}
BD
Searched
COPY OF PAPERS
ORIGINALLY FILED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: L. Hammarstrom et al. Examiner: A. Harris

Serial No: 09/521,742 Art Unit: 1642

Filed: March 9, 2000

For: MATRIX PROTEIN COMPOSITIONS FOR INDUCTION OF APOPTOSIS

ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231
BOX AF

Sir:

AMENDMENT UNDER 37 CFR 1.116

Applicants are in receipt of the Office Action dated January 2, 2002, and note that a Notice of Appeal and Petition for Extension of Time were timely filed on June 3, 2002 (received by the PTO on June 12, 2002), in order to maintain the application pending submission of the within Amendment. Applicants request that the above-described application be amended as follows.

IN THE CLAIMS

Kindly amend claim 28 to read as follows.

DO NOT
ENTER
01/30/2002
AMT

28. A method for treating epithelially derived benign, semi-malignant or malignant neoplasms, the method comprising administering topically to a mammal in need thereof a therapeutically effective amount of an active enamel substance.

Kindly add the following new claims 47-57.

RECEIVED
AUG 19 2002
TECH CENTER 1600/2900